



Texas Department of Insurance

Division of Workers' Compensation

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Memorandum

To: Workers' Compensation System Participants

From: Jeff Carothers, Director of the Office of Workers' Compensation Counsel

Date: February 23, 2012

Subject: Formal Proposal: Rules Relating to Notice and Reporting Requirements for Subscribing and Non-Subscribing Employers; and Rules Relating to Notice of a Texas Labor Code §504.053(b)(2) Election by a Self-Insured Political Subdivision

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) is accepting public comment on the proposals to add new 28 Texas Administrative Code (TAC) §§110.7, 110.103, 110.105, and 160.1, and to amend 28 TAC §§110.1, 110.101, 160.2, and 160.3. The proposal relates to various notice and reporting requirements imposed upon subscribing and non-subscribing employers, specifically requirements for notifying the TDI-DWC of non-coverage status, termination of coverage, and occupational injuries, illnesses and fatalities; and requirements for notifying employees of the employer's coverage status. The primary purpose of the proposal is to update and clarify these notice and reporting requirements. The proposal also contains a new rule that would require a self-insured political subdivision that elects to provide medical benefits in accordance with the manner described by Texas Labor Code §504.053(b)(2) to notify the TDI-DWC of its election to provide medical benefits in that manner.

The proposal will be published in the February 24, 2012, issue of the *Texas Register* and may be viewed on the Secretary of State website at <http://www.sos.state.tx.us/texreg/index.shtml> once published. A courtesy copy is also available through the TDI website at www.tdi.texas.gov/wc/rules/proposedrules/index.html. The public comment period closes Monday, March 26, 2012 at 5 p.m. Central Standard Time (CST). Comments received after the close of the comment period will not be considered.

Public comments may be submitted by e-mailing rulecomments@tdi.state.tx.us or by mailing or delivering the comments to:

Texas Department of Insurance, Division of Workers' Compensation
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In conjunction with these formally proposed amendments, the TDI-DWC is also informally proposing changes to the DWC Form-005, *Employer Notice of No Coverage or Termination of Coverage*; DWC Form-007, *Employer's Report of Non-covered Employee's Occupational Injury or Disease*; and DWC Form-020SI, *Self-Insured Governmental Entity Coverage Information*, to conform with the formally proposed rule amendments.

If there are any questions regarding the information in this memo, contact Jarren Wenderlein at (512) 804-4296 or Jarren.Wenderlein@tdi.state.tx.us.